



Planning and Development Acts 2000 to 2018

Planning Authority: Dún Laoghaire-Rathdown County Council

Planning Register Reference Number: D18A/0743

Appeal by Mark Regan of Saint Anne's, Sandyford Road, Dundrum, Dublin against the decision made on the 21st day of September, 2018 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Brian and Sonia Rowland care of Deane Turner Associates of Suite 6A, Block 6 Broomhall Business Park, Rathnew, County Wicklow in accordance with plans and particulars lodged with the said Council.

Proposed Development: Retention of dwelling as constructed, consisting of:

1. Revised position and orientation of building as built on-site.
2. Minor revision of floor level.
3. Extended basement area by 14 square metres for sanitary facilities and storage purposes.
4. Reduction in size of attic window to north elevation.

5. Minor alterations to roof light positions and sizes together with removal of windows on east elevation.
6. Reduction to window size on west elevation.
7. Provision of roof light to stairwell atrium.

All at "Adavoyle", Sandyford Road, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

Matters Considered

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

Reasons and Considerations

Having regard to the planning history of the site, the nature, scale and design of the development to be retained, and to the pattern of development in the surrounding area, it is considered that, subject to compliance with the conditions set out below, the development proposed to be retained would not seriously injure the residential or visual amenities of the area or of property in the vicinity. The development proposed to be retained would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be retained and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority and the development shall be retained and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The development shall be retained and completed in accordance with the terms and conditions of the permission granted on the 17th day of May, 2017 under planning register reference number D17A/0267, except as may otherwise be required in order to comply with the attached conditions.

Reason: In the interest of clarity and to ensure that the overall development is carried out in accordance with the previous permission.

3. Within three months of the date of this Order, revised drawings of the 'as constructed' pathway between the existing dwellinghouse and the south-eastern site boundary, including details of all finished levels, shall be submitted to, and agreed in writing with, the planning authority.

Reason: In the interests of clarity and residential amenity.

4. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid within three months of the date of this Order or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.

Dave Walsh

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2019.